

August 21, 1967

amendment to the laws governing the Poverty Program. This measure gave preference to the use of free competitive enterprise in alleviating the burdens of suffering and providing a new horizon of opportunity for the disadvantaged segment of our nation. It was ultimately accepted with substantial Democratic support.

Your organization, over the years, has been keenly interested in the health of its members and in the problems of health generally. From the beginning you have favored hospital insurance under Social Security, pay-as-you-go. So have I. And I can say to you truthfully that without the constructive interest and support of Republicans in the Senate and in the House of Representatives Medicare would not be the law today.

Last year the Congress of the United States finally recognized the fundamental inequity of treating workers in agriculture less favorably than those in industry. The national minimum wage law for agriculture was a proposal which I had repeatedly introduced in the Senate, with the official support of the Republican party of California. The bill which was passed last year by the Congress was essentially this proposal.

This year it is fair to say that there would not have been a Consular Treaty with the Soviet Union were it not for the overwhelming support of Republicans, and particularly of the Republican leadership, who joined to overcome a major assault on this international agreement originally proposed in the Eisenhower Administration, and which bore General Eisenhower's earnest approval.

There is, of course, an area of necessary bipartisanship. Since the time of Arthur Vandenberg, the United States of America has based its foreign policy on a broad range of national support. The actions of our Presidents, whether Republican or Democrat, have been based on a bipartisan approach to America's role in the world. It is necessary that our nation be united in the face of the seemingly never-ending crises erupting throughout the world. The Republican party has supported the American effort in resistance to aggression in Vietnam. It has maintained firm support of the Atlantic Alliance and of a strong policy of good will and partnership with the American republics of the Western Hemisphere.

In addition to the crucial questions of foreign policy, there are other fields where bipartisanship is essential. It is particularly necessary when any measure requiring a two-thirds vote comes before the Senate, for example, in the ratification of treaties or the breaking of a filibuster. The present rules of the Senate call for a two-thirds majority of those present and voting to put an end to the rule of unlimited debate. Bipartisan cooperation is necessary to overcome endless talkathons. And they occur, believe it or not, on a wide gamut of legislative proposals, always by a small group who know they don't have enough votes to prevail, so they decide to talk the proposal to death.

Bipartisanship is necessary in any area where the rules of the Senate are involved. Thus, Republicans have joined with members on the other side of the aisle in proposing a bill to provide for disclosure of the assets of Members of Congress, and candidates for Congress, their key staff members and ranking members of the Executive Branch on an annual basis. We believe that such legislation is in the public interest.

I have listed a broad range of achievement of the minority party. It is true that without votes legislation cannot be passed. The minority party through the continued pressure which it brings to bear can help keep the majority party responsible to the public will. The minority party, by anticipating issues and preparing its own legislative solutions, can seek public approval and force the majority to take action, even if its own measures fail to pass. It is this ability to innovate

and come forward with new and dynamic proposals which keeps the American body politic healthy. It is true of Republicans and Democrats alike that a good proposal will meet support from both parties. My esteemed colleague, the Dean of Senate Republicans, George Aiken of Vermont, recently made the point:

"As Republicans, let us not be afraid of the 'me, too' charge which is sometimes levied against us. If a Democrat says we need better health, I am not going to come out for poorer health just to disagree with him."

All responsible Republicans recognize the wisdom of his point of view. This mechanism works both ways—whichever comes up with the best approach to a modern problem will ultimately win support in the Senate—and at the polls.

The Republican party in Congress plays a vital role in keeping alive the possibility of change in the national Administration. Its role is to provide the counterweight in the delicate mechanism of our national political life, insuring that when the majority has spent its force there will be another element waiting and ready to keep the nation moving.

Like collective bargaining and free competitive enterprise, the two-party system is a vital institution in our American life. The give and take between opposing forces in the market place, as well as in the political arena, has permitted peaceful change; it has encouraged national growth. So, too, has our modern labor relations system.

America has forged the instruments of her society from the hard metal of human experience, from the triumphs and tragedies of experiments of many centuries. By applying the test of free human action our people have found an important answer to regulating life among peaceful and productive peoples who cherish human values. This, then, is the genius of American institutions—human reason and human freedom applied to the continuing struggle for growth and change, with a decent regard for the rights of others, prosperity and a better life for all.

DEMOCRACY IN GREECE—TOWARD A NEW BEGINNING

Mr. CLARK. Mr. President, the recent crisis in the Middle East must not overshadow the equally significant tragedy which has befallen Greece.

Last November, I visited this troubled land en route to the United Arab Republic, Jordan, and Israel; the report of my study mission, entitled "War or Peace in the Middle East" was distributed to all Members of this Body last April. In that report, which was released prior to the coup d'etat on April 21, 1967, I concluded inter alia that:

1. The justification for military aid to Greece is simply no longer there. The fact that we have given military aid to Greece for so many years should not blind the Congress to the desirability of terminating further military aid to Greece and Turkey and devoting far greater diplomatic efforts than we have hitherto to arms control and disarmament measures in the Northeast Mediterranean and Aegean area.

2. Our friendship for the Greek people should lead us to continue economic assistance on a limited basis, one which would be multinational to the maximum extent possible.

Unfortunately, the trend in U.S. policy toward Greece has been running in precisely the opposite direction in recent years: that is, military aid was continued as heretofore, while the Export-Import Bank has denied long-term credits to the

Bank of Greece for the development of the Greek economy. I do not, however, wish to dwell upon these specific policy decisions, as quite obviously, the Greek situation has changed rather dramatically since the military regime assumed power just 3 months ago.

The point I wish to emphasize, Mr. President, is that if the justification for military aid was no longer there before the recent coup, it is still less justifiable today. My concern now is no longer over the questionable effectiveness of the alleged partial embargo imposed on shipments of U.S. military equipment to Greece following the coup; an embargo designed to encourage the colonels, in Secretary Rusk's words to give "concrete evidence that the new Greek Government will make every effort to reestablish democratic institutions."

Instead, my overriding concern stems from the disturbing rumors that, despite the lack of "concrete evidence" that the junta is moving to restore democratic institutions, the full resumption of arms shipments to Greece is now being contemplated at the highest levels of our Government. The familiar argument is now being heard that the military junta—despite its lack of popularity among the Greek electorate—has nevertheless succeeded in establishing its control over the Greek nation and must be dealt with on the basis of vague assurances that the country will return to constitutional rule at some indefinite time in the future—the very distant future, one might add, if the colonels have any say in the matter. In short, the period of watchful waiting may soon give way to the policy of business as usual. We cannot indefinitely ignore a friendly government, it will be contended, whose internal politics the United States cannot presume to direct or control.

The great fallacy in this line of reasoning is, however, becoming increasingly obvious—particularly with respect to those states which depend directly upon the United States for their very survival. The practical impossibility of remaining neutral in thought, word, and deed was clearly illustrated just a few weeks ago when the State of Israel was seriously threatened by an Arab diplomatic offensive. Only certain misguided officials in our own State Department seem to be deluded from time to time by such professions of innocence on our part.

Greece's close identification with the United States was assured 20 years ago when the Truman doctrine was first adopted and the country was narrowly saved from a Communist takeover. Since the end of World War II, we have given billions of dollars in assistance to Greece—almost one and one-half billion in military aid alone. We have, therefore, a huge stake in Greece's political and economic destiny.

In reality, we are now faced with a regime in Athens which is both totalitarian and unpopular, enjoying—for the moment at least—the tenuous support of the Greek Armed Forces. Although a democratic constitution is promised, we have no tangible evidence it will be forthcoming in the foreseeable future. In the name of anticommunism and patriot-

ism, the junta has imprisoned thousands of public servants and ordinary citizens, imposed total censorship on the press, outlawed political opposition, and in a mood of petty vindictiveness, "added Melina Mercouri to the growing list of glories that were Greece"—in the words of the New York Times—by canceling, or pretending to cancel, or purporting to cancel, her Greek citizenship. Miss Mercouri's reaction succinctly summarized the popular Greek attitude toward Colonel Pattakos, member of the Greek junta, when she said:

I was born a Greek and will die a Greek. Pattakos was born a fascist and will die a fascist.

To most informed observers, Miss Mercouri has a far longer life expectancy than the regime of Colonel Pattakos and his cohorts, whose official public statements are tinged with a kind of puritanism, a pious fundamentalism worthy of the Salem witch trials, of almost 200 years ago, which is strikingly at odds with contemporary Greek and American character.

The implications for U.S. policy are clear: Inaction in this situation must inevitably be interpreted in the minds of most Greeks as acquiescence; and acquiescence—because of the nature of our relationship with Greece—as moral insensitivity and support. When the junta passes from the scene, as pass it will, the result will be a tarnished U.S. image and a diminution of U.S. influence in Greece, unless steps are taken now to disassociate the Government of the United States from those presently in power. To make this disassociation credible, moreover, a suspension of arms shipments to Greece pending a discernible move by the colonels in the direction of democracy, would seem to be a minimal requirement. I strongly urge the administration to take this step before it is too late.

Mr. President, to place the current Greek tragedy in its proper perspective, it may be well to review very briefly the recent political history of this embattled nation.

Following the defeat of the Communist insurgents in 1949, there was a need for a political environment in which liberal parties could emerge; some constructive political force had to fill the vacuum created by the total defeat of the Communists and the absence of strong modern Greek democratic institutions. Few farsighted Americans showed alarm over the emergence of a liberal party which disassociated itself from the outlawed Communist left.

The decade of the fifties witnessed a period of much-needed political stability and remarkable economic growth under the conservative leadership of Gen. Alexander Papagos and then Premier Konstantin Karamanlis. Eventually, however, the process of attrition set in—a process I might add which is characteristic of all truly democratic institutions—and the parties in opposition gained electoral power and influence—a trend which was accelerated by the unexpected resignation of Karamanlis in the spring of 1963.

The victory of liberal candidates of the Center Union Party in the parliamentary elections of 1964, and their acceptance by opposition leaders, indicated that a viable democracy, with the ingredients of stability was now functioning, at least in an embryonic stage. There were, of course, factions which opposed these developments, and it is now clear that some conservative leaders, with close ties to the Greek Army, took great pains to persuade American diplomats in Athens to look upon the government of George Papandreaou with suspicion and disdain. This change in attitude, even if it was not accompanied by an official change in policy, was considered by many to reflect a growing disenchantment with the Center Union government by the United States. There is evidence to suggest that the fall of Papandreaou in July 1965 was accompanied by an almost total break in communications between American diplomats and leaders of the Center Union, one of Greece's largest political parties.

This dissatisfaction of American officials with the leadership of the Center Union is important because Greek politicians have become accustomed to probing the mood of American diplomats before taking a stand on issues affecting Greece's international position. Therefore, it was not difficult for the Greek public to believe that the United States would at least give silent approval to any political move against the Center Union in the name of anticommunism. After all, the public was being told that American policies in Vietnam were guided by the same principles that led us to intervene in Greece 20 years before—with the result that we are now supporting a military dictatorship in Vietnam as well as in Greece.

In this connection, I should like to call attention to the remarks of the distinguished junior Senator from Rhode Island [Mr. PELL], who was one of the first Members of this body to comment on recent developments in Greece. In an excellent speech which appears in the CONGRESSIONAL RECORD of May 4, the Senator stated:

When a government is brought down by force the United States usually sits on its hands when a coup is staged by forces of the right but when the overthrow is carried out by the left we condemn the action, and occasionally commit our power to reverse it. The reason for this difference in our reaction is clear enough. Rightist or conservative forces usually represent the status quo, so we tend to be more tolerant of their political activities, even when a constitutional government is the victim.

Since 1960, for example, the United States has given at least tacit approval, and in most cases quick recognition, to seven new regimes resulting from right wing, military coups in El Salvador, Korea, Burma, Guatemala, Ecuador, Ghana, and Indonesia. During the same period we supported only one left wing coup and that was in Yemen.

My guess is that we made the wrong choice there. This last comment is mine, and not Senator PELL's.

Mr. President, I wish to commend the Senator from Rhode Island for his perceptive observations and to associate myself with them.

The prospect of a victory by the Center Union in the elections scheduled for May 1967, was anathema to those Greek militarists who had profited by its downfall 20 months earlier. To the forces of the right, a victory by the Center Union—even in a fair election—was unacceptable. Once this conclusion had been formed, all that was required was to find the right moment.

There is probably never a moment at election time when at least one faction in Greece is not formulating a plot of one kind or another. This is one unfortunate result of an extremely fragmented political community. But at the same time, only members of military factions could ever have a chance of illegally imposing themselves on the country, for it is they alone who have the power of the gun—a very persuasive force under any conditions.

Although we were aware last winter that a coup was being planned in military circles, we did not, of course, know exactly when or by whom they would be staged. Apparently our ignorance was shared by the entire Greek political spectrum, from the far left to the far right, including elements of the Greek military who were busy devising plots of their own, and even by the King. My concern, therefore, is not over an apparently unavoidable intelligence gap, but over our failure to make clear that the United States would regard any unconstitutional step as totally unacceptable.

We are now led by the State Department to believe that the United States, and indeed the world, is faced with a fait accompli. But there is a widespread feeling, both here and abroad, that our passive acceptance of this illegal government merely perpetuates a morally and intellectually bankrupt regime. Are we then not giving silent approval to measures which offend the American sense of decency?

The policy of the Department of State in the months following the coup has been based on an illusion; it relies on the premise that a partial suspension of military aid shipments will succeed in pressuring the Greek junta to broaden its political base and direct Greece toward a return to constitutional democracy.

Such a theory, however, ignores the realities of the situation: Officers now ruling Greece base their power on influence within the military establishment, and any movement toward eventual civilian rule places that power in jeopardy. Given this set of circumstances, the adoption of halfway measures obviously has not worked, and in my judgment it will not work. Indeed, there is a serious question in my mind as to whether a total embargo on U.S. military assistance will convince this junta that it is moving in the wrong direction; but perhaps others in positions of some influence will draw the appropriate conclusion.

At least a degree of firmness on the part of our Government, some tangible indication that we mean business, will be more likely to restore Greek democracy than the delicate, carrot-and-stick

approach which has been employed to date. Such action will also have the desired effect of serving notice to the people of Greece and to the world at large that the United States does not in any way condone the assumption of power by a small, unrepresentative minority in a land which has been aptly described as "the oldest democracy and the newest police state."

The nature of Greek politics is somewhat baffling to foreigners. It is still somewhat Byzantine, and as I stated in my report to the Committee on Foreign Relations in April of this year, following a trip there, "political leaders tend to represent family and regional rather than national interest." The monarchy plays a role unlike the throne in other European countries. Its mere existence has been a subject of public debate for over 50 years. Twice during this century, Greece has returned to a republican form of government. Thus, the philosophies of national parties are colored by attitudes their members hold regarding the responsibilities they feel a monarch should undertake, if any at all.

At the present time, young King Constantine is surrounded by ambitious and reckless men, who are using the prestige of his office to rule with an iron hand. This places him in a most precarious position, as any miscalculations on his part could once again rekindle the smoldering and hostile controversy over the status of the monarchy.

Nevertheless, the King does represent a unifying force which offers the best hope of restoring some semblance of political stability and order to the Greek Nation. It should be our policy to encourage him in this effort, rather than to undermine his position by accepting the present rulers as legitimate. For if the King is ever to assume the initiative in establishing a more representative government—a formidable task at best under the present circumstances—he will need all of the moral support he can muster from the United States. Thus far, such support has been barely discernible, if not altogether lacking.

Mr. President, the King of Greece is reported to be on his way to the United States for a conference with the State Department and, presumably, President Johnson.

I would hope that while he is here he would have an opportunity to learn something of the views of the American people on this issue, which I believe are in accord with the views expressed in this speech. I would hope that he would have an opportunity to talk with prominent Greco-American citizens and with members of the Committee on Foreign Relations. I hope he will not be so surrounded by representatives of his own junta, who no doubt will accompany him, and by representatives of the State Department, who will no doubt drastically disagree with what I have to say, that he will have no opportunity to find out for himself what people really think.

Mr. President, Greece is a relatively poor country. Its human and natural resources must be used as efficiently as possible in order for the Greek people to enjoy the minimum standards of pros-

perity. Over the past few years, Greece has made great strides in this direction, although she still concentrates too much of her national income on military affairs—perhaps as a consequence of the historic threat to her security posed by her neighbors to the north—Yugoslavia, Bulgaria, and to a lesser extent Albania, not to mention her traditional rivalry with Turkey to the east over the island of Cyprus, or other historical grounds. This threat is, however, more historic than real under present circumstances, for despite the reappearance of mutual recriminations in the press of late, we have no real evidence of planned military aggression against Greece by any other Balkan state.

In fact, with U.S. participation and encouragement, considerable progress had been achieved in recent years toward the stabilization of Greece's relations with her Balkan neighbors within the framework of the Balkan Pact. Unfortunately, the military junta has now unilaterally terminated border arrangements with Yugoslavia and has suspended agreements by which that country used Salonika as a free port. Predictably, the result has been a noticeable increase in tension between Yugoslavia and Greece, which runs counter to U.S. objectives in the area.

Again, as I concluded in my Middle East report of last April:

The age-old reliance of the nations in this area on force and violence as the ultimate weapons to achieve their national ambitions must, in the long run, be eliminated if we are not to have a recurrence of those Balkan wars which have so often triggered larger conflicts; conflicts which, in a nuclear age, the world can no longer afford.

There are several steps our Government can take to assure the Greek people that we wish to adhere to the principles of our historic and sympathetic ties. First, we should use all proper powers of persuasion to insure due process of law for all those imprisoned as political enemies of the state. Second, we should acknowledge with all due respect the condemnation of this regime by other NATO allies, such as Denmark, and consider the merits of having proper NATO authorities review the impact that this recent coup will have on Greece's role in the alliance. Third, we should suspend all military assistance to Greece.

Mr. President, the United States did not instigate the coup of April 21, but neither did we do anything to prevent it. Let us not compound that error by continuing to drift into an alliance with another inept dictatorship. We are already handicapped with enough inept dictatorships all over the world. Let us act now, before we become once again the unintended victims of our own inertia.

Mr. President, on the 19th of August a news article appeared in the Washington Post under the byline of Leslie Finer. The headline is "Greek Trial Indicates Struggle Inside Junta."

This is a first-class account of a struggle for power which appears to be going on within the military junta now ruling Greece. Its outcome could decide whether the country returns to normal political life or comes increasingly under monolithic army control.

The article concludes:

Unlike the official leadership, the junior, more extremist group, is apparently not concerned with the fear that, by suppressing all moderate political opposition, it is making underground Communist opposition a certain alternative.

Mr. President, that is exactly what is happening in Greece today.

Mr. President, I ask unanimous consent that the article to which I have referred, entitled "Greek Trial Indicates Struggle Inside Junta," written by Leslie Finer, and published in the Washington Post, of August 19, 1967, be printed at this point in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

GREEK TRIAL INDICATES STRUGGLE INSIDE JUNTA

(By Leslie Finer)

ATHENS, Aug. 19.—A struggle for power appears to be going on within the military junta now ruling Greece. Its outcome could decide whether the country returns to normal political life or comes increasingly under monolithic Army control.

On the one hand is the group of generals and colonels, whose declared promise is to restore parliamentary democracy. On the others is an unseen directorate, composed of junior officers, for whom any kind of politician or political activity is anathema.

This conclusion is difficult to escape in view of the astonishingly inept handling of the Averoff case.

On Wednesday Evangeros Averoff, Foreign Minister in the right-wing government of Constantine Karamanlis from 1955-63, was sentenced by a military tribunal to five years in jail for breaking emergency regulations. The next day it was announced that he would be granted a pardon.

[Averoff is expected to go free Monday, UPI quoted informed sources in Athens as saying.]

Now, almost before the storm of protest over the Averoff affair has died down, his former colleague in the Karamanlis government, George Rallis, will on Monday face a court-martial on the charge (which has now become almost comically notorious) of having some friends home for a drink without obtaining police permission for a party of more than five people.

When the police raided Rallis' house, he was caught playing bridge. But, unlike Averoff, he can claim that those present in excess of five were not invited but just happened to drop in.

With nothing much to lose, Rallis was expected at his trial to make a scalding political attack on the regime. But in view of the government's admission of error in the Averoff case, Rallis must think carefully what tactics to adopt.

The court too will face an embarrassing choice between a sentence which defiantly defends the justness of the previous one or weakly bows before the storm it generated.

It will not be surprising if the solution to the dilemma is found by the simple expedient of postponing the trial sine die.

In the long run, the Averoff incident may prove most damaging of all by the light it has shed on the power conflict within the regime.

When Averoff walked into court he was politely greeted by the military prosecutor, who assured him that he had nothing to worry about (in fact, the prosecutor asked for an acquittal).

The chairman of the court also (a permanent high-ranking Army legal officer) nodded to the defendant reassuringly, and conducted the trial in a manner which clearly pressed a verdict of not guilty.

But 90 minutes of argument behind closed doors failed to deter the junior officers of the

bench from their purpose of passing a spiteful sentence.

The significance of all this lies in the clues to the people who had no hand in the persecution of a respected right-wing politician, and who were shocked when it happened.

One of these was King Constantine, who took the initiative in demanding a free pardon. Another was the civilian Prime Minister Constantine Kollias, who persuaded the government to agree to the King's demand.

It is likely that most, if not all, of the official military leaders of the regime were ignorant of the treatment handed out to Averoff till after the event.

Unlike the official leadership, the junior, more extremist group, is apparently not concerned with the fear that by suppressing all moderate political opposition, it is making underground Communist opposition a certain alternative.

ROUTINE MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous unanimous-consent agreement, there will now be a period for the transaction of routine morning business.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILL

A message in writing from the President of the United States was communicated to the Senate by Mr. Geisler, one of his secretaries, and he announced that on August 19, 1967, the President had approved and signed the act (S. 1762) to amend section 810 of the Housing Act of 1964 to extend for 3 years the fellowship program authorized by such section.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The ACTING PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

MESSAGE FROM THE HOUSE—ENROLLED BILLS SIGNED

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the Speaker had affixed his signature to the following enrolled bills:

H.R. 1282. An act to provide for the withdrawal of wine from bonded wine cellars without payment of tax when rendered unfit for beverage use, and for other purposes;

H.R. 2470. An act to provide for the free entry of certain scientific instruments and apparatus for the use of Tufts University, Mount Holyoke College, and the Massachusetts Division of the American Cancer Society; and

H.R. 6056. An act to amend the Internal Revenue Code of 1954 to provide rules relating to the deduction for personal exemptions for children of parents who are divorced or separated.

EXECUTIVE COMMUNICATIONS, ETC.

The ACTING PRESIDENT pro tempore laid before the Senate the follow-

ing communication and letters, which were referred as indicated:

COMMISSION TO STUDY SELF-DETERMINATION BY THE TRUST TERRITORY OF THE PACIFIC ISLANDS

A communication from the President of the United States, transmitting a draft of a joint resolution regarding the Status of the Trust Territory of the Pacific Islands (with accompanying papers); to the Committee on Interior and Insular Affairs.

REVISION OF SOFTWOOD LUMBER STANDARD

A letter from the Secretary of Commerce, transmitting, for the information of the Senate, an announcement relating to the revision of the softwood lumber standard (with an accompanying paper); to the Committee on Commerce.

THIRD PREFERENCE AND SIXTH PREFERENCE CLASSIFICATIONS FOR CERTAIN ALIENS

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, reports relating to third preference and sixth preference classifications for certain aliens (with accompanying papers); to the Committee on the Judiciary.

PETITION

The ACTING PRESIDENT pro tempore laid before the Senate a resolution adopted by the Board of Supervisors, County of Los Angeles, Calif., favoring the enactment of legislation to decrease foreign aid appropriations, which was referred to the Committee on Appropriations.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. BIBLE, from the Committee on Interior and Insular Affairs, with an amendment:

S. 814. A bill to establish the National Park Foundation (Rept. No. 532).

By Mr. NELSON, from the Committee on Interior and Insular Affairs, without amendment:

S. 1972. A bill to provide for the disposition of funds appropriated to pay a judgment in favor of the Emigrant New York Indians in Indian Claims Commission docket No. 75, and for other purposes (Rept. No. 536).

By Mr. JACKSON, from the Committee on Interior and Insular Affairs, with amendments:

H.R. 535. An act to provide that the United States shall hold certain Chilocco Indian School lands at Chilocco, Okla., in trust for the Cherokee Nation upon payment by the Cherokee Nation of \$3.75 per acre to the Federal Government (Rept. No. 535).

By Mr. BREWSTER, from the Committee on Commerce, without amendment:

H.R. 118. An act to amend section 209 of the Merchant Marine Act, 1936, so as to require future authorization of funds for certain programs of the Maritime Administration (Rept. No. 533).

By Mr. ERVIN, from the Committee on the Judiciary, with amendments:

S. 1035. A bill to protect the civilian employees of the executive branch of the U.S. Government in the enjoyment of their constitutional rights and to prevent unwarranted governmental invasions of their privacy (Rept. No. 534).

NOMINATION OF THURGOOD MARSHALL—EXECUTIVE REPORT OF A COMMITTEE (EX. REPT. NO. 13)

Mr. HART. Mr. President, as in executive session, from the Committee on the

Judiciary, I report favorably the nomination of Thurgood Marshall, of New York, to be an Associate Justice of the Supreme Court of the United States, and I submit a report thereon. I ask unanimous consent that the report be printed, together with the minority views of Senators McCLELLAN, EASTLAND, THURMOND, and ERVIN.

The ACTING PRESIDENT pro tempore. The report will be received and the nomination will be placed on the Executive Calendar; and, without objection, the report will be printed, as requested by the Senator from Michigan.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. HART (for himself and Mr. MAGNUSON):

S. 2321. A bill to supplement the antitrust laws of the United States in order to prevent anticompetitive practices, by providing for just compensation upon termination of certain franchise relationships; to the Committee on the Judiciary.

(See the remarks of Mr. HART when he introduced the above bill, which appear under a separate heading.)

By Mr. TYDINGS:

S. 2322. A bill to provide for a study with respect to the adequacy of legal services and programs in the United States; to the Committee on the Judiciary.

(See the remarks of Mr. TYDINGS when he introduced the above bill, which appear under separate heading.)

FRANCHISE COMPETITIVE PRACTICE ACT OF 1967

Mr. HART. Mr. President, on behalf of myself and the Senator from Washington [Mr. MAGNUSON], I introduce today, for appropriate reference, the Franchise Competitive Practice Act of 1967. In brief, this bill provides for just compensation to the franchisee upon termination of certain franchise relationships.

Franchising has enjoyed a tremendous growth since the end of World War II. Today almost any item or service which the public desires is available under a franchise program. The franchising system is of mutual advantage to the franchisor and franchisee. The franchisee is provided with an opportunity to become an "independent" businessman benefited by national advertising, know-how, proved bookkeeping methods, and so forth, without having to undertake the enormous financial burden required by a single business. The franchisor is able to organize a nationwide distribution system without the attending problems of employees, taxes, and so forth. The relationship is much like a partnership in which both parties gain or lose by the other's action.

The Antitrust and Monopoly Subcommittee has held three sets of hearings on franchising during the past 2 years. One thing that became clear was that the balance is tilted somewhat in favor of the franchisor. Numerous franchisees testified repeatedly that they constantly lived with the fear of arbitrary cancellation of the franchise and the preempting of established customers by the franchisor.